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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,391	08/07/2001	Tal Givoly	XACTP001	6261

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EXAMINER

TRAN, PHILIP B

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 11/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/924,391

Applicant(s)
Givoly

Examiner
Philip B. Tran

Art Unit
2155



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 9, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Aug 7, 2001 is/are a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-23 are rejected under 35 U.S.C. § 102(a) as being anticipated by Deri et al (Hereafter, Deri), "Practical Network Security : Experiences with ntop", TERENA Networking Conference 22-25 May 2000.

Regarding claim 1, Deri clearly teaches a method for processing network accounting information, comprising : receiving accounting information over a packet-switched network; monitoring at least one aspect of the received accounting information; and discarding at least a portion of the accounting information based on the monitored aspect (i.e., network traffic measurement and monitoring for reporting information about captured packets and detecting intrusion for denial of service) [see Pages 1-5].

Regarding claim 2, Deri further teaches the method as recited in claim 1, wherein the accounting information is discarded for providing a defense against network attacks (i.e., against network intruder) [see Page 3].

Regarding claim 3, Deri further teaches the method as recited in claim 1, wherein the accounting information is discarded for dealing with heavy network traffic (i.e., analyzing the traffic sent/received) [see Page 4].

Regarding claim 4, Deri further teaches the method as recited in claim 3, and further comprising generating a summary of the accounting information (i.e., reports are done in both text and HTML and stored information in the database) [see Pages 3 and 5].

Regarding claim 5, Deri further teaches the method as recited in claim 1, wherein monitoring the at least one aspect of the received accounting information includes detecting a scan of a plurality of ports (i.e., scanning ports) [see Pages 3-4].

Regarding claim 6, Deri further teaches the method as recited in claim 1, wherein monitoring the at least one aspect of the received accounting information includes detecting a scan of a plurality of Internet Protocol (IP) addresses (i.e., detecting IP address) [see Page 4].

Regarding claim 7, Deri further teaches the method as recited in claim 1, wherein monitoring the at least one aspect of the received accounting information includes monitoring a rate of receipt of the accounting information (i.e., monitoring amount of traffic sent/received) [see Pages 3-4].

Regarding claim 8, Deri further teaches the method as recited in claim 7, wherein monitoring the at least one aspect of the received accounting information includes detecting whether the rate of receipt of the accounting information exceeds a predetermined amount (i.e., determining if there is suddenly sent/received amount of traffic) [see Page 4].

Regarding claim 9, Deri further teaches the method as recited in claim 1, wherein monitoring the at least one aspect of the received accounting information includes monitoring a load on a system receiving the accounting information (i.e., counting the traffic and the number of connections to any ports) [see Page 4].

Regarding claim 10, Deri further teaches the method as recited in claim 1, wherein the network includes the Internet (i.e., ntop is widely used in the network attached to the Internet) [see Pages 1 and 3].

Claim 11 is rejected under the same rationale set forth above to claim 1.

Claims 12-14 are rejected under the same rationale set forth above to claims 2-4, respectively.

Claims 15-18 are rejected under the same rationale set forth above to claims 6-8, respectively.

Claim 18 is rejected under the same rationale set forth above to claim 5.

Claim 19 is rejected under the same rationale set forth above to claim 9.

Claims 20-22 are rejected under the same rationale set forth above to claim 1.

Claim 23 is rejected under the same rationale set forth above to combination of claims 1 and 4-9.

Other References Cited

3. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

- A) Bullard et al, U.S. Pat. No. 6,405,251.
- B) Nordenstam et al, U.S. Pat. No. 6,442,615.
- C) Cohen et al, U.S. Pat. No. 6,434,618.
- D) Lindskog et al, U.S. Pat. No. 6,370,572.
- D) Chase et al, U.S. Pat. No. 6,188,671.
- D) Naor et al, U.S. Pat. No. 6,055,508.
- D) Gleichauf et al, U.S. Pat. No. 6,301,668.

4. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS, OR THIRTY DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (703) 308-8767. The Group fax phone number is (703) 746-7239.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh, can be reached on (703) 305-9648.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

PBT
Philip B. Tran
Art Unit 2155
Oct 28, 2002


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100